

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**MICHELLE WHITE, individually, and
on behalf of all others similarly situated,**

Plaintiff

v.

**VNA HOMECARE INC., d/b/a
VNA TIP HOMECARE,**

Defendant.

No. 11-0971-DRH-PMF

**APRIL BECK, for herself and on
behalf of similarly situated others,**

Plaintiff,

v.

**VNA HOMECARE, INC., d/b/a
VNA TIP HOMECARE,**

Defendant.

No. 12-0330-DRH-PMF

**GAYLE HATFIELD, for herself and on
behalf of similarly situated others,**

Plaintiff,

v.

**VNA HOMECARE, INC., d/b/a
VNA TIP HOMECARE,**

Defendant.

No. 12-0331-DRH-PMF

**MICHELE MARLOW and
TONYA SMITH, for themselves
and on behalf of similarly
situated others,**

Plaintiffs,

v.

**VNA HOMECARE, INC., d/b/a
VNA TIP HOMECARE,**

Defendant.

No. 12-0332-DRH-PMF

ORDER

HERNDON, Chief Judge:

On January 30, 2013, the Court held a status conference and ordered all the parties in these cases to participate in mediation (Doc. 62). Further, the Court directed the parties to submit names of a mediator by February 6, 2013. Today, the parties submitted a joint report on the recommended mediator naming Hunter R. Hughes of Rogers & Hardin (Doc. 63). Pursuant to the joint report, the

Court **APPOINTS** Hunter R. Hughes as the mediator. The Court **GRANTS** Mr. Hughes the authority to handle the mediation as he deems appropriate under the circumstances of these cases. Counsel for some parties have expressed a desire to mediate without another present. Some have expressed a desire that all be present. The Court delegates to Mr. Hughes, based on his skill and experience, the authority to handle the mediation in a manner he finds to be most efficient and effective and to direct the parties accordingly.

Further, the Court **ORDERS** that all the parties must mediate in good faith. The Court directs Mr. Hughes to advise the Court if he determines that any party or counsel fails to comply with this order to mediate in good faith. Should he so advise the Court, a hearing will be held with all parties and Mr. Hughes in order to gather evidence from everyone, including Mr. Hughes, on the issue of compliance with the Court's order. Any violation of this order will be dealt with by the Court in the exercise of its inherent powers to enforce its orders.

Lastly, the Court **CONTINUES** the stay an additional ninety days pending the mediation. The Court **DIRECTS** the parties to inform the Court the status of the mediation on or before May 7, 2013.

IT IS SO ORDERED.

Signed this 6th day of February, 2013.

Digitally signed by
David R. Herndon
Date: 2013.02.06
16:08:10 -06'00'



**Chief Judge
United States District Court**